

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>HEATHER ELLEN WORK and</b>	)	
<b>ROBERT MICHAEL WORK</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b>Civil No. 14-398</b>
	)	
<b>EXCELA HEALTH,</b>	)	
	)	
<b>Defendant.</b>	)	

**MEMORANDUM ORDER SETTING  
INITIAL SCHEDULING CONFERENCE**

Pursuant to Local Rules 16.1 and 16.2, an initial case management conference will be conducted to discuss narrowing of the issues, the extent of pretrial preparation, discovery procedures, the early disposition of controlling questions of law, and probable extent of provable damages, the possibility of settlement, and the designation of an Alternative Dispute Resolution process.

**I. Rule 26(f) Conference and Written Report**

As required by Rule 26(f) of the Federal Rules of Civil Procedure, the parties must, as soon as practicable and in any event at least 21 days before the initial case management conference, confer to “consider the nature and basis of their claims and defenses and the possibilities for promptly settling or resolving the case; make or arrange for the disclosures required by Rule 26(a)(1); discuss any issues about preserving discoverable information; and develop a proposed discovery plan.” Fed. R. Civ. P. 26(f).

Pursuant to Rule 26(f), the “attorneys of record and all unrepresented parties that have appeared in the case are jointly responsible for arranging the conference, for attempting in good faith to agree on the proposed discovery plan, and for submitting to the court within 14 days after the conference a written report outlining the plan.” Fed. R. Civ. P. 26(f).

The written report required by Rule 26(f) shall be in the form set forth in the Local Rules at Appendix LCvR 16.1A, a form of which is attached as Exhibit A. ***This court requires strict compliance with Rule 26.***

## **II. Stipulation Selecting ADR Process**

Pursuant to Local Rule 16.2.D. at the Rule 26(f) conference “the parties are required to discuss and, if possible, stipulate to an ADR Process.” LCvR 16.2.D. The parties shall file with the Court the “Stipulation Selecting ADR Process” attached hereto as Exhibit B in order to comply with Local Rule 16.2.D’s requirement that the parties “shall (1) designate the specific ADR process that the parties have selected, (2) specific the time frame within which the ADR process will be completed, and (3) set forth any other information the parties would like the Court to know regarding their ADR designation.” LCvR 16.2.D.

- 1. An Initial Case Management Conference is set for **Wednesday, July 9, 2014** at 2:30 P.M., in the United States Courthouse, Suite 8170, 700 Grant Street, Pittsburgh.**  
**Chief trial counsel shall attend the conference.**
- 2. The Rule 26(f) conference of the parties must occur no later than **June 18, 2014**.**
- 3. The parties’ **Rule 26(f) written report** and **Stipulation Selecting ADR Process** shall be filed within 14 days after the conference, but in no event later than **July 2, 2014**.**

Counsel should be familiar with this Court's Practices and Procedures available at [http://www.pawd.uscourts.gov/Documents/Judge/cohill\\_pp.pdf](http://www.pawd.uscourts.gov/Documents/Judge/cohill_pp.pdf).

**SO ORDERED** this 29th day of May, 2014.

s/Maurice B. Cohill, Jr.  
Maurice B. Cohill, Jr.  
Senior United States District Court Judge